

BOA
9-3-17

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America)
v.)
Jesus Arguellez Vasquez,)
a.k.a.: Jesus Javier Arguellez-Vasquez,)
a.k.a.: Jesus Arguellez,)
(A200 281 523))

Defendant

Case No.

17-8373MS

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of December 12, 2016, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Jesus Arguellez Vasquez, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about August 2, 2011, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

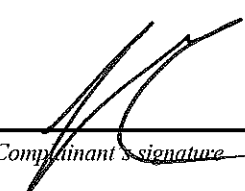
This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated by Reference Herein

CEB

REVIEWED BY: Charles E. Bailey, P.S. for SAUSA Brett Day

☒ Continued on the attached sheet.



Complainant's signature

Steven T. Case,
Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: September 5, 2017


Judge's signature

City and state: Phoenix, Arizona

John Z. Boyle,
United States Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

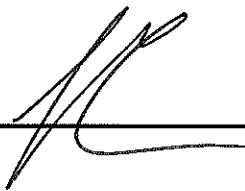
I, Steven T. Case, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On December 12, 2016, Jesus Arguellez Vasquez was booked into the Maricopa County Jail (MCJ) facility by the Peoria Police Department on local charges. While in custody at the MCJ, Arguellez Vasquez was encountered by ICE Officer M. Suchorabski who determined him to be a citizen of Mexico, illegally present in the United States. On the same date, an immigration detainer was lodged with the county jail. On September 3, 2017, Arguellez Vasquez was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Arguellez Vasquez was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Jesus Arguellez Vasquez to be a citizen of Mexico and a previously deported criminal alien. Arguellez Vasquez was removed from the United States to Mexico at or near Nogales, Arizona, on or about August 2,

2011, pursuant to an order of removal issued by an immigration judge. There is no record of Arguellez Vasquez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Arguellez Vasquez's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Jesus Arguellez Vasquez was convicted of Solicitation to Commit Forgery, a felony offense, on June 21, 2011, in the Superior Court of Arizona, Maricopa County. Arguellez Vasquez was sentenced to eighteen (18) months' probation. Arguellez Vasquez's criminal history was matched to him by electronic fingerprint comparison.
5. On September 3, 2017, Jesus Arguellez Vasquez was advised of his constitutional rights. Arguellez Vasquez freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about December 12, 2016, Jesus Arguellez Vasquez, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about August 2, 2011, and not having obtained the

express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Steven T. Case,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 5th day of September, 2017.



John Z. Boyle,
United States Magistrate Judge